

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 7, 13, 14 and 19 have been amended. The amendments to claims 7 and 19 are to correct informalities, and do not narrow their scope. No new matter has been added.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 2-8, 11 and 13-21 are now pending in this application.

Allowable subject matter

Applicant appreciates the allowance of claim 4.

Claim objection

Claim 7 was objected to for informalities. Claim 7, as well as claim 19, has been amended to recite a “first” fixing unit in addition to the second fixing unit, thus overcoming the objection to claim 7.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 2, 3, 5-8 and 13 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,116,743 to Hoek (“Hoek”). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoek. Claims 14-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hoek in view of either U.S. Patent No. 5,096,283 to Croteau (“Croteau”) or U.S. Patent No. 4,998,812 to Hou (“Hou”). Applicant respectfully traverses these rejections for at least the following reasons.

Independent claims 13 and 14 are directed to a mirror apparatus for a vehicle. Both claims 13 and 14, as amended, recite “a housing-base fixing unit, comprising at least a portion of the base, arranged to fix the mirror housing to the base.” In one non-limiting embodiment of the invention having this feature, plate part 8, through holes 9 and 20 and

screw, and mounting boss portion 26 (see specification, page 5, lines 15-18, page 7, lines 1-2, page 8, lines 11-15, and corresponding drawings) act as the housing-base fixing unit that fixes the mirror housing to the base. Hoek fails to suggest at least this feature of claims 13 and 14.

In contrast to claims 13 and 14, the cover 68 (equated in the Office Action with the base as recited) in the Hoek device does not have structure that fixes the cover 68 to the housing 18 (equated in the Office Action with the mirror housing as recited). Instead the cover 68 is separated from the housing 18 by the support arm 16 to which the cover is attached.

Moreover, it would not have been obvious to one skilled in the art to have included structure on the cover 68 of the Hoek device to fix the cover to the housing. The Hoek device is an extendable mirror where the support arm 16 may be selectively moved into an out of the housing 18. Including structure on the cover of Hoek to fix the cover 68 to the housing 18 would have rendered the Hoek device unfit for its intended purpose of allowing for movement of the support arm (and thus the cover 68) into and out of the housing. Thus one skilled in the art would not have made such a modification based on the teaching of Hoek.

Croteau and Hou were cited for allegedly disclosing other features of the claims, and fail to cure the deficiencies of Hoek.

The dependent claims are allowable for at least the same reasons as their respective independent claims, as well as for further patentable features recited therein.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or

even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date March 14, 2006

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